RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2176

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Setsu KUNITAKE et al.	Group Art Unit: 2176
Application No.: 09/765,434	Examiner: G. Sain
Filed: January 22, 2001	Docket No.: 108401

For: STRUCTURED DOCUMENT PROCESSING SYSTEM AND STRUCTURED DOCUMENT PROCESSING METHOD

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the January 4, 2005 Office Action, Applicants respectfully request

reconsideration in view of the following remarks. Claims 1-14 are pending.

The Office Action rejects claim 12 under 35 U.S.C. §102(e) over Burkett (U.S. Patent

No. 6,635,089); rejects claims 1-3, 5-11 and 13 under 35 U.S.C. §103(a) over Burkett in view of

Admitted Prior Art (APA); and rejects claims 4 and 14 under 35 U.S.C. §103(a) over Burkett

and APA, and further in view of Chau (U.S. Patent No. 6,643,633). The rejections are

respectfully traversed.

In particular, neither Burkett nor APA, individually or in combination, discloses or

suggests a document processing description synthesizing means for merging and sorting

extraction <u>instruction ...from a first structured document</u>...the repetitive duplication instruction

and/or insertion/substitution <u>instruction...from a second structured document...to synthesize a document processing description</u> having an instruction string for processing the first and second structured documents, as recited in independent claim 1.

The Office Action at page 3 cites Burkett, col. 3, line 60-col. 4, line 64, as disclosing this feature of claim 1. The Office Action admits that Burkett does not expressly disclose "synthesizing." However, the Office Action asserts that APA discloses synthesizing. Thus, it would be obvious to combine Burkett with APA to render claim 1 obvious. See Office Action at page 4. Applicants respectfully disagree.

Burkett, at col. 3, line 60-col. 4, line 64, fails to teach that a document processing description is synthesized from instruction retrieved from a first structured document and instruction retrieved from a second structured document. Instead, Burkett discloses that a document encoded according to XML notation can be marked up to indicate that content of the document are dynamic in nature. See col. 3, lines 59-62. Further, Burkett discloses that such marked up document can be dynamically updated. See col. 3, lines 63-67. Burkett teaches that by encoding documents in this manner, the encoded document may be <u>updated</u> to reflect the results of each of the dynamic data retrievals. See col. 4, lines 21-50, and in particular lines 45-46.

Nowhere does Burkett disclose or suggest synthesizing a document processing description. Further, nowhere does Burkett disclose or suggest synthesizing a document processing description from instruction retrieved from a first structured document and instruction retrieved from a second structured document.

APA, on the other hand, discloses that document parts satisfying specific conditions can be retrieved from an input document to synthesize a new structured document and document parts. See page 5, lines 1-2. However, APA does not disclose or suggest synthesizing a

document processing description from instruction retrieved from a first structured document and instruction retrieved from a second structured document.

For reasons as discussed with respect to claim 1, neither Burkett nor APA, individually or in combination, disclose or suggest synthesizing a document processing description, as recited in independent claims 7, 13 and 14.

Burkett also does not disclose or suggest processing invocation description synthesizing means for merging and sorting instructions retrieved from a structured document to generate a document processing description containing an instruction string for processing the structured document, and generating information about access to the error notice document, as recited in independent claim 12.

Burkett instead discloses at col. 9, lines 10-15 an error handling technique for specifying default values to be used upon occurrence of an error. Nowhere does Burkett disclose or suggest the above-noted feature of claim 12.
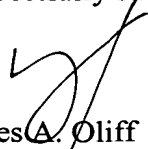
Chau does not make up for the above-noted deficiencies of Burkett. Specifically, Chau discloses at col. 3, lines 28-30 that an XML data is mapped from an application to relational tables and columns using a document access definition based on XPath data model.

Accordingly, independent claims 1, 7 and 12-14 define patentable subject matter. Claims 2-6 and 8-11 depend from the respective independent claims, and therefore also define patentable subject matter as well as for the other features they recite. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Yong S. Choi
Registration No. 43,324

JAO:YSC/eks

Date: February 8, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461